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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,006	12/14/2001	James Sheung Lau	CA920000072-US1	7929
7590	04/26/2006		EXAMINER	
Anne Vachon Dougherty 3173 Cedar Road Yorktown Heights, NY 10598			TON, DANG T	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 04/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)
	10/017,006	LAU, JAMES SHEUNG
	Examiner	Art Unit
	DANG T. TON	2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 February 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2 and 6-18 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-2 and 6-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

<ol style="list-style-type: none"> 1)<input type="checkbox"/> Notice of References Cited (PTO-892) 2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. 	<ol style="list-style-type: none"> 4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6)<input type="checkbox"/> Other: _____.
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1. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 11 line 5, " said wireless web server " lacks antecedent basis because applicants only recite " a web server" at line 3 of the claim 1.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2 and 6-18 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Boyle et al. (6,119,167).

For claims 1-2 and 6-18, Boyle et al. disclose pushing and pulling data in networks comprising:

a web server (see box 130.1-130.2 in figure 1);
a communications interface operable to convey internet messages to and from the web server using a wireless digital packet network(see box 134 in figure 1;

wherein said web server and said communications interface are connected to each other(see box 126 in figure 1);

wherein said communications interface is operable to transmit and receive said internet messages on a cellular digital packet network (see column 3 lines 27-39);

wherein said communications interface is operable to receive Transmission and Control Protocol (TCP/IP) messages from said web server for transmission on said wireless digital packet network (see column 3 lines 25-29);

wherein said communications interface comprises a wireless transceiver for transmitting and sending said internet messages on said wireless digital packet network (see wireless network 125 in figure 1);

wherein said web server is operable to receive and store data to be served (it is inherent that the server has memory for storing data);

further including an input interface operable to receive a signal from a sensor and produce a data representation of said signal, for storage as data to be served by said web server(see box 122 in figure 1);

receiving a data request message from a wireless digital packet network (see requesting in figure 31);

requesting data from a wireless web server in response to said data request message(see service reply in figure 31); and transmitting on said wireless digital packet network a response message including data produced by said wireless web server in response to said data request message(see service reply in figure 31);

further comprising extracting a Transmission and Control Protocol (TCP/IP) message from a wireless digital packet network protocol message (see column 3 lines 27-39);

further comprising transmitting said TCP/IP message to said wireless web server(see column 3 lines 27-39);

further comprising inserting a Transmission and Control Protocol/Internet Protocol (TCP/IP) message from said wireless web server into a wireless digital packet network

protocol message for transmission on said wireless digital packet network(see column 3 lines 27-39)and box 126 in figure 1));

transmitting a message on a wireless digital packet network for use by a wireless web server operable to receive messages from said wireless digital packet network (see box 126 in figure 1);

wherein transmitting said message comprises producing a wireless digital packet network message containing a Transmission and Control Protocol/Internet Protocol (TCP/IP) message(see column 3 lines 27-39); and

further comprising receiving, from said wireless digital packet network, a message produced by said wireless web server(see wireless network 125 in figure 5).

3. Applicant's arguments with respect to claims 1-2 and 6-18 have been considered but are moot in view of the new ground(s) of rejection.

In the remarks of 02/21/2006, applicants traverse the rejection under 35 U.S.C 102. The traversal is based on the ground that reference does not teach the wireless web server. This argument is not persuasive for the claims 1-2 and 6-11 because the limitations argued by applications are not cited in the claims 1-2 and 6-11. For the claims 12-18, the reference does teach the wireless web server. Applicant's attention is directed at boxes 130.1 ,124, and 126 being considered as wireless web server since

the handheld device 102 communicates with the web server 103 via wireless network 125 in figure 1.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANG T. TON whose telephone number is 571-272-3171. The examiner can normally be reached on MON-WED, 5:30 AM-6:00 PM and Thur 5:30-9:30 A.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pham Chi can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. Ton



DANG TON
PRIMARY EXAMINER